

REMARKS

Claims 40-109 are currently pending with claims 40, 47, 55, 66, 73, 81 and 89 being independent. Claims 40, 47, 55, 66, 73, 81 and 89 have been amended to recite a driver circuit configured to apply digital signals to the gate electrode of the transistor, and to recite a power source electrically connected to the first electrode via the transistor and configured to apply an operation voltage of the electroluminescent element which is 10 V or less. Support for the amendment can be found in the application, for example, at Figs. 16 and 17 and the accompanying text. Dependent claims 96-109 have been amended to conform to the independent claims. No new matter has been introduced.

Claims 40-109 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Forrest (U.S. Patent No. 6,310,360) in view of Kimura (U.S. Patent No. 6,518,941). Applicant requests reconsideration and withdrawal of this rejection because neither Forrest, Kimura, nor any proper combination of the two describes or suggests a power source electrically connected to the first electrode via the transistor and configured to apply an operation voltage of the electroluminescent element which is 10 V or less, as recited in each of the independent claims.

The rejection indicates that although “Forrest in view of Kimura is silent on the operating voltage(s) of the disclosed luminescent-material-using device, **the device of Forrest in view of Kimura is structurally identical to the claimed device.**” While Applicants do not agree with the propriety of the pending rejections, amendments to the independent claims are made with this response to further distinguish the claimed invention from the references. Specifically, independent claims have been amended to recite, as a claim element, a power source electrically connected to the first electrode via the transistor, configured to apply an operation voltage of the electroluminescent element which is 10 V or less. As acknowledge by the rejection, neither Forrest, Kimura, nor any proper combination of the two describes or suggests the claimed element of the power source. Accordingly, for at least these reasons, the rejection should be withdrawn.

Applicant submits that all claims are in condition for allowance.

Applicant : Shunpei Yamazaki et al.
Serial No. : 10/754,701
Filed : January 12, 2004
Page : 16 of 16

Attorney's Docket No.: 07977-276002 / US4942D1

The \$120 fee for the one month extension of time is being paid in connection with the filing of this paper on the Electronic Filing System (EFS). Please apply any charges or credits to deposit account 06 1050.

Respectfully submitted,

Date: 12/26/07


John F. Hayden
Reg. No. 37,640

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W. - 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331
/adt
40461341.doc